

**SENATE JOURNAL
63RD LEGISLATURE
SEVENTIETH LEGISLATIVE DAY**

Helena, Montana
April 4, 2013

Senate Chambers
State Capitol

Senate convened at 10:01 a.m. President Essmann presiding. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Arthun, Caferro, Malek, Ripley, Thomas, and Windy Boy, excused. Quorum present.

BILLS AND JOURNALS (Buttrey, Chair):

4/4/2013

Correctly printed: **SB 240, SB 369, SB 381, SB 400, SB 405, SB 408, SJR 24, SJR 26, SJR 27, SR 49, SR 50, SR 51, SR 52, SR 53, SR 54, HB 240, HB 344, HB 355, HB 395, HB 417.**

Correctly engrossed: **SB 374, SB 387, SB 397, HB 54, HB 97, HB 120, HB 233, HB 265, HB 477, HB 499, HB 524, HB 560.**

Transmitted to the House: **SB 280, SB 384, HB 117, HB 287, HB 488, HB 566.**

Signed by the Secretary of the Senate at 9:07 a.m., April 4, 2013: **SB 11, SB 18, SB 19, SB 120, SB 122, SB 136, SB 239, SR 23, SR 29, SR 35, SR 36, SR 37, SR 38, SR 39.**

Signed by the President at 11:04 a.m., April 4, 2013: **SB 11, SB 18, SB 19, SB 120, SB 122, SB 136, SB 239, SR 23, SR 29, SR 35, SR 36, SR 37, SR 38, SR 39.**

Signed by the Speaker at 4:55 p.m., April 3, 2013: **SB 45, SB 48, SB 116, SB 125, SB 165, SB 185, SB 194, SB 224, SB 259, SB 316.**

Signed by the Speaker at 3:30 p.m., April 4, 2013: **SB 11, SB 18, SB 19, SB 120, SB 122, SB 136, SB 239.**

Delivered to the Governor at 11:46 a.m., April 4, 2013: **SB 45, SB 48, SB 116, SB 125, SB 165, SB 185, SB 194, SB 224, SB 259, SB 316.**

Delivered to the Secretary of State at 1:16 p.m., April 4, 2013: **SR 5, SR 6, SR 11, SR 17, SR 23, SR 25, SR 27, SR 29, SR 35, SR 36, SR 37, SR 38, SR 39.**

REPORTS OF STANDING COMMITTEES

ENERGY AND TELECOMMUNICATIONS (Olson, Chair):

4/4/2013

HB 417, be concurred in. Report adopted.

HB 477, be amended as follows:

1. Title, page 1, line 9.

Following: "~~CONTRACT~~"

Insert: "AND UTILITY LIABILITY"

2. Title, page 1, line 10.

Following: "~~DATE~~"

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Insert: "AND AN APPLICABILITY DATE"

3. Page 1, line 25.

Following: "(3)"

Insert: "(a)"

4. Page 1.

Following: line 27

Insert: "(b) A utility may provide the information required pursuant to subsection (1) only to a person or entity owning the property or representing the person or entity or to a person involved in a real estate-related transaction on the property."

5. Page 1, line 28.

Strike: "THIS SECTION, "utility""

Insert: "[sections 1 and 2], the following definitions apply:

(a) "Real estate-related transaction" means any of the following:

(i) the making or purchasing of loans or providing other financial assistance:

(A) for purchasing, constructing, improving, repairing, or maintaining a housing accommodation or property; or

(B) secured by real estate; or

(ii) the selling, leasing, brokering, or appraising of real property.

(b) "Utility"

6. Page 2.

Following: line 12

Insert: "NEW SECTION. **Section 2. Utility -- liability.** A utility is liable for direct damages resulting from a discontinuance of utility service caused by breach of a continuous service agreement."

Renumber: subsequent sections

7. Page 2, line 14.

Strike: "[SECTION 1] IS"

Insert: "[Sections 1 and 2] are"

8. Page 2, line 16.

Strike: "[SECTION 1]"

Insert: "[sections 1 and 2]"

9. Page 2.

Following: line 23

Insert: "NEW SECTION. **Section 4. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Insert: "NEW SECTION. **Section 5. Saving clause.** [This act] does not affect rights and

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duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Renumber: subsequent sections

10. Page 2.

Following: line 25

Insert: "NEW SECTION. **Section 7. Applicability.** [This act] applies to damage to property that occurs on or after [the effective date of this act]."

And, as amended, be concurred in. Report adopted.

Senators Caferro and Malek present at this time.

FINANCE AND CLAIMS (Ripley, Chair):

4/3/2013

SB 240, do pass. Report adopted.

SB 369, do pass. Report adopted.

HB 336, be concurred in. Report adopted.

Senator Ripley present at this time.

JUDICIARY (Murphy, Chair):

4/4/2013

SR 7, be adopted. Report adopted.

LOCAL GOVERNMENT (Buttrey, Chair):

4/3/2013

HB 499, be amended as follows:

1. Page 2, line 5.

Strike: "sale,"

2. Page 2, line 14 through page 2, line 19.

Strike: subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

HB 524, be amended as follows:

1. Page 1, line 15.

Following: "both"

Insert: "."

Strike: ", and whose premises proposed for licensing"

2. Page 1, line 16.

Strike: "have" through "IF"

Insert: "If the premises proposed for licensing are"

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And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Arthun, Chair):
HB 54, be amended as follows:

4/3/2013

1. Page 14.

Following: line 21

Insert: "COORDINATION SECTION. Section 12. Coordination instruction. If House Bill No. 78 and [this act] are both passed and approved and if both contain sections amending 19-20-733, then the sections amending 19-20-733 are void and 19-20-733 must be amended as follows:

"19-20-733. Resumption of employment by retired member -- suspension of benefits.

~~(4)~~ [Except as provided in 19-20-732, and] subject to [section 2 of House Bill No. 78], the following provisions apply:

(1) ~~if~~ If a retired member returns to employment in a position covered by the retirement system and becomes an active contributing member, benefits must be suspended until the member terminates all employment and applies to have benefits reinstated.

~~(2) Except as provided in subsection (4), upon~~ Upon termination and retirement of a previously retired member who was reinstated to active membership pursuant to 19-20-731 before July 1, 2009:

(a) if the member earned less than 1 year of creditable service, the original benefit and retirement option that the member was receiving at the time of suspension of benefits must be reinstated beginning either the first of the month following termination or on July 1 following the date on which the retired member was reemployed, whichever is later; or

(b) if the member earned 1 year or more of creditable service, retirement benefits must be recalculated under 19-20-804 if the member would qualify for a service retirement benefit under 19-20-801 or under 19-20-802 if the member is eligible for early retirement. The recalculated benefit must include the service credit accumulated at the time of the member's previous retirement, plus any service credit accumulated subsequent to reemployment. The recalculated benefit amount must be increased by the amount of any benefit enhancement received pursuant to 19-20-719 that the retired member was receiving when the member's benefits were suspended.

~~(3) (a) Except as provided in subsection (4)~~ (3)(c), upon the subsequent retirement of a formerly retired member who was reinstated to active membership pursuant to 19-20-731 on or after July 1, 2009, and earned:

(i) at least 3 years of membership service following suspension of benefits, the member is entitled to resume receiving the suspended benefit in accordance with the retirement benefit option and joint annuitant previously selected, plus an additional benefit based upon the new creditable service and compensation earned. The second benefit must be calculated as provided under 19-20-804 if the member is eligible for a service retirement benefit or under 19-20-802 if the member is eligible for early retirement. The second benefit must be paid under the same retirement benefit option and with the same joint annuitant originally elected.

(ii) less than 3 years of membership service following suspension of benefits, the member is entitled to resume receiving the suspended benefit in accordance with the retirement benefit option previously selected, plus a refund of the employee contributions contributed after the member was reinstated to active service, plus interest.

(b) If a member dies during the period of reemployment following an initial retirement, the

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member must be considered as retiring on the day preceding the date of death and benefits must be determined according to the following:

(i) If the member elected the normal form benefit prior to reemployment, the member's designated beneficiary must receive an amount equal to the member's accumulated contributions on deposit.

(ii) If the member elected a retirement option pursuant to 19-20-702 prior to reemployment, the benefits due are payable in accordance with the terms of the original option elected and this subsection (3).

~~(4) If a retired member who has not attained normal retirement age is reemployed with the same employer within 30 days from the member's effective date of retirement or if that member is guaranteed reemployment with the same employer, the member must be considered to have continued in the status of an active member and not to have separated from service. Any retirement allowance payments received by the member must be repaid to the system, together with interest, at the actuarially assumed rate, and the retirement allowance must be canceled.~~

~~(c) If the joint annuitant nominated prior to the member's reemployment under retirement option A, B, or C dies prior to the member rereading, the member will be given the option to select either the normal form retirement benefit or a retirement option as provided in 19-20-702. (Bracketed language terminates June 30, 2015--sec. 5, Ch. 129, L. 2009.)"~~

Insert: "COORDINATION SECTION. Section 13. Coordination instruction. If House Bill No. 377 and [this act] are both passed and approved and if both contain sections amending 19-20-801, then the sections amending 19-20-801 are void and 19-20-801 must be amended as follows:

"19-20-801. Eligibility for service retirement. (1) A tier one member who is eligible to receive a service retirement allowance calculated under 19-20-804(1) if the member:

(a) has been credited with at least 5 full years of creditable service and who has attained the age of 60; or

(b) has been credited with full-time or part-time creditable service in 25 or more years may retire from service if the member has.

(2) Except as provided in subsection (3), a tier two member is eligible to receive a service retirement allowance calculated under 19-20-804(1) if the member:

(a) has been credited with at least 5 full years of creditable service and has attained the age of 60; or

(b) has been credited with full-time or part-time creditable service in 30 or more years and has attained the age of 55.

(3) A tier two member who has been credited with 30 or more years of creditable service and has attained the age of 60 is eligible for a professional retirement option allowance calculated under 19-20-804(2).

(4) To receive a retirement allowance under 19-20-804, the member must have terminated employment in all positions from which the member is eligible to retire and files reportable to the retirement system and must file a written application with the retirement board a written application.

(5) A vested member who has attained normal retirement age has a nonforfeitable right to the benefits accrued and payable under the provisions of this chapter, subject to the member's right to withdraw the member's accumulated contributions under 19-20-603."

Insert: "COORDINATION SECTION. Section 14. Coordination instruction. If House Bill No. 377 is passed and approved and if it includes a section amending 19-20-802, then [section 7 of this act] amending 19-20-802 is void."

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Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 64, be concurred in. Report adopted.

HB 120, be amended as follows:

1. Page 24, line 23.

Strike: "13-13-211(3)"

Insert: "13-13-201(3)"

2. Page 24, line 30.

Following: "elections."

Insert: "The address confirmation form must request the elector's driver's license number or the last four digits of the elector's social security number."

3. Page 25, line 3.

Following: "sent,"

Insert: "provide the elector's driver's license number or the last four digits of the elector's social security number,"

4. Page 47.

Following: line 22

Insert: "COORDINATION SECTION. **Section 63. Coordination instruction.** If both House Bill No. 126 and [this act] are passed and approved and if both contain sections amending 13-10-209, then the sections amending 13-10-209 are void and 13-10-209 must be amended as follows:

"13-10-209. Arrangement and preparing of primary ballots. (1) (a) Ballots for a primary election must be arranged and prepared in the same manner and number as provided in chapter 12 for general election ballots, except that there must be separate ballots for each political party entitled to participate. The name of the political party must appear at the top of the separate ballot for that party and need not appear ~~opposite~~ with each candidate's name.

(b) Nonpartisan offices and ballot issues may be prepared on separate ballots or may appear on the same ballot as partisan offices if:

(i) each section is clearly identified as separate; and

(ii) the nonpartisan offices and ballot issues appear on each party's ballot; and

(iii) ~~with respect to ballot issues, written approval is obtained as provided in~~ ballot issues are prepared in accordance with 13-27-502.

(2) ~~An~~ Except as provided in subsection (3), an election administrator does not need to prepare a primary ballot for a political party if:

(a) the party does not have candidates for more than half of the offices to appear on the ballot; ~~or~~ and

(b) no more than one candidate files for nomination by that party for any of the offices to appear on the ballot.

(3) Subsection (2) does not apply to elections for precinct committee offices. If more than

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one candidate files for a precinct committee office from a party that will not have a primary ballot prepared, that party shall select the candidate to fill the office.

~~(3)~~(4) If, pursuant to subsection (2), in a primary election held under 13-1-107(1) a primary ballot for a political party is not prepared, the secretary of state shall certify that a primary election is unnecessary for that party and shall instruct the election administrator to certify the names of the candidates for that party for the general election ballot only.

~~(4)~~(5) The separate ballots for each party must have the same appearance. Each set of party ballots must bear the same number. If prepared as a separate ballot, the nonpartisan ballot may have a different appearance than the party ballots but must be numbered in the same order as the party ballots.

~~(5)~~(6) If a ballot issue is to be voted on at a primary election, it may be placed on the nonpartisan ballot or a separate ballot. A separate ballot may have a different appearance than the other ballots in the election but must be numbered in the same order.

~~(6)~~(7) Each elector must receive a set of ballots that includes the party, nonpartisan, and ballot issue choices.""

Insert: "COORDINATION SECTION. **Section 64. Coordination instruction.** If either House Bill No. 30 or Senate Bill No. 405, or both, and [this act] are passed and approved, then [section 12 of this act] amending 13-2-304 is void."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 126, be concurred in. Report adopted.

HB 265, be amended as follows:

1. Page 6.

Following: line 12

Insert: "COORDINATION SECTION. **Section 6. Coordination instruction.** (1) If both Senate Bill No. 375 and [this act] are passed and approved and if both contain a section that amends 13-37-216, then the section of [this act] amending 13-37-216 is void.

(2) If both House Bill No. 229 and [this act] are passed and approved and if both contain a section that amends 13-37-216, then the section of House Bill No. 229 that amends 13-37-216 is void."

Insert: "COORDINATION SECTION. **Section 7. Coordination instruction.** If both Senate Bill No. 375 and [this act] are passed and approved and if both contain a section that amends 13-37-226, then the section of [this act] amending 13-37-226 is void."

Insert: "COORDINATION SECTION. **Section 8. Coordination instruction.** If both Senate Bill No. 375 and [this act] are passed and approved and if both contain a section that amends 13-37-229, then the section of [this act] amending 13-37-229 is void."

And, as amended, be concurred in. Report adopted.

HB 560, be amended as follows:

1. Page 4, line 2 and line 3.

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Following: "branch" on line 2

Strike: ", who" on line 2 through "council" on line 3

And, as amended, be concurred in. Report adopted.

HJR 17, be concurred in. Report adopted.

Senator Wittich moved the Senate stand in recess until 12:00 p.m. this date. Motion passed.
Senate recessed at 10:10 a.m.

Senate reconvened at 12:02 p.m. President Essmann presiding. Invocation by Father Jerry Lowney.

Roll Call. All members present, except Senator Vuckovich, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Ripley, Chair):

4/3/2013

HB 97, be amended as follows:

1. Title, page 1, line 5.

Following: "ACT"

Insert: "REVISING THE COMPENSATION USED TO DETERMINE RETIREMENT BENEFITS IN CERTAIN PUBLIC RETIREMENT SYSTEMS;"

2. Title, page 1, line 9.

Following: "SYSTEMS;"

Insert: "PROVIDING THAT ELECTIVE CONTRIBUTIONS FOR A CERTAIN HEALTH PLAN MAY NOT BE CONSIDERED COMPENSATION IN THE PUBLIC EMPLOYEES', JUDGES', HIGHWAY PATROL OFFICERS', SHERIFFS', GAME WARDENS' AND PEACE OFFICERS', MUNICIPAL POLICE OFFICERS', AND FIREFIGHTERS' UNIFIED RETIREMENT SYSTEMS; "

3. Page 8, line 9.

Strike: "115%"

Insert: "110%"

4. Page 8, line 11.

Strike: "115%"

Insert: "110%"

5. Page 8, line 29.

Strike: "and"

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6. Page 9, line 1

Following: "employment"

Insert: "; (vi) for employees who became members on or after [the effective date of this act],
elective contributions under a cafeteria plan provided for in 26 U.S.C. 125;
or (vii) bonuses provided after July 1, 2013, that are one-
time, temporary payments in addition to and not considered part of base pay"

7. Page 9, line 30.

Following: "(1)"

Insert: "(a)"

8. Page 10.

Following: line 1

Insert: "(b) For employees who became members on or after [the effective date of this act],
compensation does not include elective contributions under a cafeteria plan provided for
in 26 U.S.C. 125.

(c) Compensation does not include bonuses provided after July 1, 2013, that are one-time,
temporary payments in addition to and not considered part of base pay."

9. Page 10, line 17.

Following: "include"

Insert: ": (i)"

Following: "expenses"

Insert: "; (ii) for employees who became members on or after [the effective date of this act],
elective contributions under a cafeteria plan provided for in 26 U.S.C. 125;
or (iii) bonuses provided after July 1, 2013, that are one-time, temporary payments in addition to
and not considered part of base pay"

10. Page 11, line 13.

Following: "include"

Insert: ": (i)"

Following: "expenses"

Insert: "; (ii) for employees who became members on or after [the effective date of this act],
elective contributions under a cafeteria plan provided for in 26 U.S.C. 125;
or (iii) bonuses provided after July 1, 2013, that are one-time, temporary payments in addition to
and not considered part of base pay"

11. Page 12, line 15.

Following: "include"

Insert: ": (i)"

Following: "expenses"

Insert: "; (ii) for employees who became members on or after [the effective date of this act],
elective contributions under a cafeteria plan provided for in 26 U.S.C. 125;
or (iii) bonuses provided after July 1, 2013, that are one-time, temporary payments in addition to
and not considered part of base pay"

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12. Page 13, line 17.

Strike: the second "and"

13. Page 13, line 18.

Following: "expenses"

Insert: "; (iii) for employees who became members on or after [the effective date of this act],
elective contributions under a cafeteria plan provided for in 26 U.S.C. 125;
or (iv) bonuses provided after July 1, 2013, that are one-time, temporary payments in addition to
and not considered part of base pay"

14. Page 15, line 3.

Strike: "and"

15. Page 15, line 4.

Following: "expenses"

Insert: "; (iii) for employees who became members on or after [the effective date of this act],
elective contributions under a cafeteria plan provided for in 26 U.S.C. 125;
or (iv) bonuses provided after July 1, 2013, that are one-time, temporary payments in addition to
and not considered part of base pay"

And, as amended, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Priest, Chair):
HJR 16, be concurred in. Report adopted.

4/3/2013

Senator Vuckovich present at this time.

MESSAGES FROM THE GOVERNOR

April 3, 2013

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear President Essmann:

On Wednesday, April 3, 2013, I signed and delivered the following Senate bills to the Secretary of State:

Senate Bill 33 - Jent
Senate Bill 57 - Jent

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Senate Bill 63 - Blewett
Senate Bill 70 - Walker
Senate Bill 99 - Olson
Senate Bill 132 - Jergeson
Senate Bill 267 - Thomas

Sincerely,

STEVE BULLOCK
Governor

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

4/3/2013

HB 593, introduced by Wagoner
HB 605, introduced by Schwaderer
HB 608, introduced by Cuffe
HB 626, introduced by Osmundson

FIRST READING AND COMMITMENT OF BILLS

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 28, introduced by Phillips, referred to Fish and Game.
SJR 29, introduced by Phillips, referred to Energy and Telecommunications.

The following Senate resolutions were introduced, read first time, and referred to committees:

SR 55, introduced by Blewett, L. Jones, referred to Education and Cultural Resources.
SR 56, introduced by Olson (by request of the Senate Energy and Telecommunications Standing Committee), referred to Energy and Telecommunications.
SR 57, introduced by Olson (by request of the Senate Energy and Telecommunications Standing Committee), referred to Energy and Telecommunications.
SR 58, introduced by Jergeson (by request of the Senate Energy and Telecommunications Standing Committee), referred to Energy and Telecommunications.
SR 59, introduced by Olson (by request of the Senate Energy and Telecommunications Standing Committee), referred to Energy and Telecommunications.

The following House bills were introduced, read first time, and referred to committees:

HB 593, introduced by Wagoner, Fitzpatrick, Howard, Knudsen, D. Moore, Randall, referred to Taxation.

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HB 605, introduced by Schwaderer, Blyton, referred to Local Government.

HB 608, introduced by Cuffe (by request of the House Joint Appropriations Subcommittee on Natural Resources and Transportation), referred to Finance and Claims.

HB 626, introduced by Osmundson (by request of the House Joint Appropriations Subcommittee on General Government), referred to Finance and Claims.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Phillips in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 143 - Senator Brenden moved **SB 143** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Hamlett, Jackson, Jergeson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.

Total 31

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Fielder, Jent, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Windy Boy.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 104 - Senator Driscoll moved **HB 104** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 44

Nays: Blewett, Caferro, Kaufmann, Malek, Stewart-Peregoy, Wanzenried.

Total 6

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 396 - Senator Brenden moved **SB 396** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Van Dyk, Vincent, Walker, Webb, Wittich, Mr. President.

Total 38

Nays: Augare, Barrett Dick, Blewett, Caferro, Kaufmann, Malek, Phillips, Stewart-Peregoy, Tutvedt, Vuckovich, Wanzenried, Windy Boy.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 401 - Senator Sesso moved **SB 401** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Mr. President.

Total 46

Nays: Kaufmann, Stewart-Peregoy, Wanzenried, Wittich.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 554 - Senator Blewett moved **HB 554** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, D. Brown, T. Brown,

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Buttrey, Caferro, Driscoll, Facey, Fielder, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.

Total 45

Nays: Arntzen, Brenden, Hamlett, Lewis, Wittich.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 394 - Senator Wittich moved **SB 394** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 26

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Murphy, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 380 - Senator Vincent moved **SB 380** do pass.

SB 380 - Senator Vincent moved **SB 380**, second reading copy, be amended as follows:

1. Page 2, line 27.

Following: "SHALL"

Insert: ", through February 28, 2015,"

Strike: "AN ADDITIONAL"

Insert: "not more than 18,200 Class B-10 licenses with"

Following: "LICENSES"

Strike: "THROUGH FEBRUARY 28, 2015"

Insert: "reserved for nonresident applicants that entitle the holder to hunt only in the wilderness"

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areas listed in subsection (3)(a) and subject to the provisions of subsections (3)(b) through (3)(d)"

2. Page 2, line 28.

Following: "MARCH 1, 2015,"

Strike: "AN ADDITIONAL"

Insert: "shall offer not more than 18,500 Class B-10 licenses with"

Strike: "TO"

Insert: "reserved for"

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 380 - Senator Vincent moved **SB 380**, as amended, do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jent, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sonju, Taylor, Thomas, Tutvedt, Vincent, Webb, Wittich, Mr. President.

Total 29

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sales, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Walker, Wanzenried, Windy Boy.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

SB 282 - Senator Tutvedt moved **SB 282** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jackson, Jent, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 39

Nays: Barrett Dick, Blewett, Caferro, Facey, Jergeson, Kaufmann, Malek, Phillips, Tropila, Van Dyk, Wanzenried.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 398 - Senator Tutvedt moved **SB 398** do pass. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Webb, Windy Boy.

Total 36

Nays: Arntzen, Barrett Debby, Boulanger, D. Brown, Fielder, Moore, Rosendale, Sales, Sonju, Taylor, Walker, Wanzenried, Wittich, Mr. President.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 392 - Senator Kaufmann moved **SB 392** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

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Total 48

Nays: Brenden, Ripley.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 405 - Senator Jent rose on a point of parliamentary procedure and objected to the scheduling of **SB 405** for second reading. Senator Jent stated the committee hearing the previous day was not sufficiently noticed and requested a ruling from the chair on his objection.

Chair Phillips explained Senate rule S30-60 allows for a short posting of a hearing if the hearing is less than ten legislative days before an applicable transmittal deadline.

Senator Olson moved **SB 405** do pass.

SB 405 - Senator Blewett moved **SB 405**, second reading copy, be amended as follows:

1. Title, line 4 through line 6.

Strike: "PROTECTING" on line 4 through "LATE" on line 5

Insert: "ELIMINATING ELECTION DAY"

Following: "REGISTRATION AND" on line 5

Strike: remainder of line 5 through "ACT" on line 6

Insert: "ENDING LATE VOTER REGISTRATION THE FRIDAY BEFORE ELECTION DAY"

Amendment **not** adopted as follows:

Yeas: Augare, Barrett Dick, Blewett, D. Brown, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Mr. President.

Total 23

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

SB 405 - Thereupon, the Senate reverted to the original motion of Senator Olson which passed as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 29

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 407 - Senator Thomas moved **SB 407** do pass. Motion **failed** as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, Buttrey, Jackson, Lewis, Moore, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Mr. President.

Total 21

Nays: Augare, Barrett Dick, Blewett, D. Brown, T. Brown, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 29

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Kaufmann excused at this time.

SB 407 - Senator Wittich moved **SB 407** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, T. Brown, Buttrey,

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Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 38

Nays: Arntzen, Brenden, D. Brown, Jackson, Moore, Priest, Taylor, Thomas, Walker, Webb, Mr. President.

Total 11

Absent or not voting: None.

Total 0

Excused: Kaufmann.

Total 1

Senator Kaufmann present at this time.

SB 408 - Senator Olson moved **SB 408** do pass. Motion carried as follows:

Yeas: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 28

Nays: Arthun, Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 44 - Governor's Amendments - Senator Keane moved Governor's amendments to **SB 44** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

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Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 346 - House Amendments - Senator Vincent moved House amendments to **SB 346** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.

Total 44

Nays: Augare, Kaufmann, Malek, Stewart-Peregoy, Wanzenried, Windy Boy.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 23 - Governor's Amendments - Senator Rosendale moved Governor's amendments to **SB 23** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Mr. President.

Total 47

Nays: Tropila, Wanzenried, Wittich.

Total 3

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

Senator Jackson excused at this time.

SB 240 - Senator Tutvedt moved **SB 240** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 40

Nays: Augare, Barrett Dick, Blewett, Caferro, Facey, Kaufmann, Malek, Stewart-Peregoy, Wanzenried.

Total 9

Absent or not voting: None.

Total 0

Excused: Jackson.

Total 1

SB 369 - Senator Facey moved **SB 369** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Jackson.

Total 1

Senator Wittich moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair Phillips moved the Committee of the Whole report be adopted. Motion carried as follows:

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Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 45

Nays: Kaufmann, Malek, Sesso, Wanzenried.
Total 4

Absent or not voting: None.
Total 0

Excused: Jackson.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 395 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Jackson.
Total 1

SB 400 passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Sesso, Stewart-Peregoy, Thomas, Tropila, Van Dyk, Vuckovich, Walker, Wanzenried, Webb, Windy Boy.

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Total 36

Nays: Boulanger, T. Brown, Keane, Larsen, Ripley, Rosendale, Sales, Sonju, Taylor, Tutvedt, Vincent, Wittich, Mr. President.

Total 13

Absent or not voting: None.

Total 0

Excused: Jackson.

Total 1

HB 240 concurred in as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jones, Lewis, Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 27

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 22

Absent or not voting: None.

Total 0

Excused: Jackson.

Total 1

SB 381 passed as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Driscoll, Fielder, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sonju, Taylor, Thomas, Tropila, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 29

Nays: Augare, Barrett Dick, D. Brown, Caferro, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sales, Sesso, Stewart-Peregoy, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 20

Absent or not voting: None.

Total 0

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Excused: Jackson.

Total 1

SB 395 passed as follows:

Yeas: Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 26

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 24

Paired: T. Brown, Aye; Jackson, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

MOTIONS

Senator Taylor moved to change her vote on **SB 395** from Yes to No. Without objection, so ordered.

Senator Windy Boy moved to change his vote on **HB 240** from Yes to No. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

SR 7 - Senator Murphy moved the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 7**. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

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Absent or not voting: None.

Total 0

Excused: Jackson.

Total 1

SR 30 - Senator Peterson moved the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 30**. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Jackson.

Total 1

SR 24 - Senator Arthun moved the nomination transmitted by the Governor **not** be confirmed by the Senate in accordance with **SR 24**. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 42

Nays: Barrett Dick, Blewett, Hamlett, Kaufmann, Tropila, Vuckovich, Wanzenried.

Total 7

Absent or not voting: None.

Total 0

Excused: Jackson.

Total 1

SR 47 - Senator Peterson moved the nomination transmitted by the Governor be confirmed by

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the Senate in accordance with **SR 47**. Motion **failed** as follows:

Yeas: Augare, Barrett Dick, Blewett, D. Brown, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 23

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, T. Brown, Buttrey, Fielder, Jones, Lewis, Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 26

Absent or not voting: None.
Total 0

Excused: Jackson.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Wittich moved that the Senate adjourn until 12:00 p.m., Friday, April 5, 2013, the seventy-first legislative day. Motion carried.

Senate adjourned at 4:27 p.m.

MARILYN MILLER
Secretary of the Senate

JEFF ESSMANN
President of the Senate